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TO **NAME** Examiner Joseph A. FISCHETTI
FIRM Art Unit: 3627
FAX NO.: Patent & Trademark Office
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(703) 308-9552

PAGES (INCLUDING COVER):5**ORIGINAL TO FOLLOW IN MAIL:**☐ Yes ☒ No

FROM **NAME:** James R. Miner (Reg. No. 40,444)
DIRECT DIAL: 703-714-7449

MESSAGE Attached please find the following regarding U.S. Patent Application No. 09/788,646:
1. Response To Restriction Requirement ✓
2. Certificate of Transmission under 37 CFR 1.8 ✓

IF PROBLEM WITH TRANSMISSION, PLEASE CONTACT OPERATOR AT 703 • 714 • 7500.

OPERATOR

DATE: May 9, 2005
TIME:
CLIENT/MATTER NAME: Genworth
CLIENT/MATTER NO.: 52493.000127

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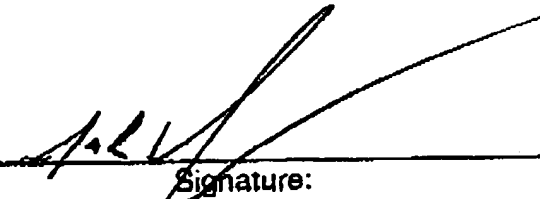
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Attorney Docket No. 52493.000127
Application No. 09/788,646

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James R. Miner, Reg. No. 40,444
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1. Response to Restriction Requirement (3 pages); ✓
2. Certificate of Transmission (1 page); and ✓
3. Fax Cover Sheet (1 page). ✓

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T-616 P.03/05 F-569

MAY 09 2005

Application No.: 09/788,646
Attorney Docket No. 52493.000127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :)	Confirmation No.: 7075
)	
Stacy R. Steuart)	Group Art Unit: 3627
)	
Application No.: 09/788,646)	Examiner: Joseph A. Fischetti
)	
Filed: February 21, 2001)	

For: "SYSTEM AND METHOD FO PROVIDING CUSTOMIZED SALES-RELATED
DATA OVER A NETWORK"

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed April 7, 2005, Applicant hereby traverses the
restriction requirement and requests reconsideration and withdrawal of such requirement.

Claims 1-52 are presently pending in the application.

A. SUMMARY OF RESTRICTION REQUIREMENT

The Office Action asserts that restriction to one of the following inventions is required
under 35 U.S.C. §121:

Invention I: Claims 1-35;

Invention II: Claims 36-47;

Invention III: Claims 48-50;

Invention IV: Claim 51; and

Invention V: Claim 52.

The Office Action asserts various reasons that the inventions are distinct.

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B. ELECTION

In the event that the election requirement is not withdrawn, Applicant hereby provisionally elects the invention I of Claims 1-35, with traverse.

C. TRAVERSAL

Applicant respectfully traverses the restriction requirement. It is respectfully submitted that, due to the related subject matter of the claims, a complete and thorough search of the claims identified above as belonging to Group I would involve a search of the areas relevant to the non-elected claims. Accordingly, Applicant submits that the burden on the Examiner does not warrant requiring Applicant to pay duplicative PTO fees and perform duplicative prosecution to obtain patent protection for the present invention.

Further Applicant respectfully submits that the restriction requirement is improper. That is, Applicant submits that the distinctiveness of various groups vis-à-vis other groups is not set forth in the Office Action. For example, how is Invention V distinct from Inventions I, II, and III, respectively. Further, how is Invention IV distinct from Inventions I and II. Other similar deficiencies exist in the asserted restriction.

D. CONCLUSION

Applicant believes that no fees are necessary in connection with the filing of this document. In the event any fees are necessary, please charge or credit any such fees, including fees for any extensions of time, to the undersigned's Deposit Account No. 50-0206.

Application No.: 09/788,646
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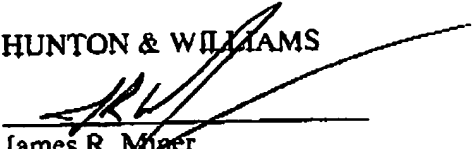
The Examiner is respectfully requested to call Applicant's undersigned representative at the telephone number below if any assistance might be provided to the Examiner in the examination of the application.

Respectfully submitted,

HUNTON & WILLIAMS

Date: May 9, 2005

By:


James R. Miner
Registration No. 40,444

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